



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
**CRIMINAL JUSTICE INFORMATION SYSTEMS
POLICY COUNCIL**
EAST LANSING



COL. TADARIAL J. STURDIVANT
DIRECTOR

Information Regarding New CJIS Legislation

Effective February 1, 2006, the CJIS Policy Council Act along with other CJIS legislation will become effective. The new laws promulgate some changes in LEIN and criminal history records. CJIS Field Services is receiving calls regarding these laws and what they mean to LEIN users. This bulletin is intended to clarify some issues.

Public Acts 308-311 are four pieces of legislation that make changes in criminal justice information systems and specifically LEIN. Three of the acts replace the original LEIN Policy Council Act of 1974, as amended, and update it to conform to the Executive Order forming the CJIS Policy Council. Other new provisions in these three acts that directly impact criminal justice agencies include:

- Increased powers of the Council, including the ability to suspend or deny direct access to LEIN to a person who misuses LEIN, and the ability of the Council to grant LEIN access to entities not currently covered under law.
- A change in the criminal penalty for misuse. Dissemination of information is no longer the criteria for committing a misdemeanor act. Instead, a person is guilty of misuse of LEIN for accessing information for personal use or gain. This would include any use not authorized for criminal justice purposes.

The fourth act covers the opening of the criminal history records in Michigan to disseminate all criminal history information substantiated by fingerprints. This will allow the ICHAT program to return non-conviction arrests, unless a record is suppressed. The ICHAT programming is expected to be updated on the morning of February 1, 2006.

CHR INFORMATION OBTAINED THROUGH LEIN IS STILL RESTRICTED. Agencies MAY NOT conduct background checks for their local government units, for volunteers, or for citizens who ask for them. This is still considered a violation of the rules surrounding CHR dissemination.

Organizations or units of government who would like to request access to LEIN or use of LEIN information that was previously not permitted should submit their request to the CJIS Policy Council. Letters of application should be addressed to:

**CJIS Policy Council
714 S. Harrison Road
East Lansing, MI 48823**

Requests should state the reason for access to or use of LEIN information and how they would acquire the information.

Questions regarding the new legislation may be addressed to Thomas L. Evans, Executive Secretary, CJIS Policy Council at the above address or call 517/336-2620.

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